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Tanaka's low profile has sheriff contest in limbo

The candidate has mostly disappeared from view since the primary.

BY CINDY CHANG

After squeaking into the runoff election for Los Angeles County sheriff, Paul Tanaka posted a message on his website.

He had been trounced by Long Beach Police Chief Jim McDonnell, but his hopes of leading the department where he spent 31 years were still alive.

"We need someone who is ready to lead on Day One," he wrote June 5. "We have just begun this effort!"

Since then, the retired undersheriff has mostly disappeared from view, throwing the contest to lead one of the nation's largest law enforcement agencies into a strange limbo.

He has ignored requests to debate McDonnell. He dismissed his campaign team after the primary and apparently has not brought on replacements. His public appearances have largely been limited to City Council meetings in Gardena, where he is mayor, and his testimony at the criminal trials of sheriff's officials accused of obstructing an FBI investigation of jail abuse.

McDonnell, who narrowly missed winning outright with 49% of the vote to Tanaka's 15%, finds himself in the odd position of campaigning against an opponent who, for the most part,

has been invisible. In contrast with the primary season, which was marked by frequent debates between the seven candidates, voters may never see McDonnell and Tanaka face off before the Nov. 4 election.

"You have an election but not really a campaign," said Raphael Sonenshein, executive director of the Edmund G. "Pat" Brown Institute for Public Affairs at Cal State Los Angeles.

At stake is the direction of a demoralized agency battered by a series of scandals, including charges against 21 of its employees suspected of jail assaults and other crimes. Longtime sheriff Lee Baca stepped down in January, leaving the election wide open.

While short on election news, the last few months have been punctuated by reports about the trials and resulting convictions. On the witness stand, Tanaka twice admitted that he is the subject of an ongoing federal investigation.

[See Sheriff, A10]

Little heard from Tanaka in race

[**Sheriff**, from A1]

In the summer heat, McDonnell has been alone on the campaign trail, working the crowds at ethnic festivals and holiday parades. His supporters often address him as "the next sheriff" or a "shoo-in" despite his insistence that the election is not in the bag.

If McDonnell wins, he will be the first sheriff in a century elected from outside the department, which covers large swaths of Los Angeles County and runs the country's largest county jail system. He has promised to bring a "fresh set of eyes" to turning the agency around and has said he hopes a civilian oversight committee will assist him.

"I'm not really watching his campaign. I'm watching Nov. 4," McDonnell, an LAPD veteran who has headed the Long Beach Police Department since 2010, said of Tanaka. "I'm going to work as hard as I can until then."



GENARO MOLINA Los Angeles Times

PAUL TANAKA'S public appearances have mostly been at council meetings in Gardena, where he is mayor. Above, he poses with John Asai and his sister Anne.



BOB CHAMBERLIN Los Angeles Times

JIM MCDONNELL has been alone on the campaign trail, working the crowds at festivals and parades. Above, he attends a Labor Day parade in Wilmington.

McDonnell has a long list of big-name endorsements as well as support from the deputies and supervisors unions. On his website, Tanaka has named local city officials as supporters, among them the mayors of Diamond Bar, Rosemead, Temple City, San Gabriel and Alhambra, and some California sheriffs.

Allan Hoffenblum, a former GOP strategist and publisher of the California Target Book, said McDonnell is "overwhelmingly favored" but still must reach out to voters and show he is not taking victory for granted.

"If he's already picking out the color of his rug and his curtains in his new sheriff's office, he's got to remember that two candidates are going to be on the ballot," Hoffenblum said.

To address the speculation that he had quietly dropped out, Tanaka tweeted Aug. 5 that he was "still in the race but giving our supporters an opportunity to spend the summer with their families."

Recently, his campaign has shown signs of life. Earlier this week, he posted photos on his Facebook page of himself with supporters in El Monte and

speaking at a La Crescenta church. He told the Los Angeles Daily News that he is continuing to raise money.

In a video posted on his website, Tanaka alluded to "negative attacks" that would soon be directed against him. During the primary, he was pummeled by his opponents, who blamed him for the problems in the county jails and for fostering a cliquish atmosphere in which loyalty was sometimes a main basis for promotions.

"If I could sit down with you over a cup of coffee, I could tell you a little bit more about the real Paul Tanaka," he said on his website video, gesturing with a paper cup in one hand as he spoke.

In a recent radio appearance, Tanaka touted his experience in the 18,000-member Sheriff's Department, where he rose from a deputy to second-in-command.

"I know that department. No one else has commanded every unit," Tanaka said Aug. 31 during the Community Show on KDAY-FM (93.5). "When you promote people, you should promote people who will hold themselves accountable more than they will hold other people accountable."

Tanaka has ignored multiple requests to speak to a Times reporter. An organizer of a debate that would be moderated by Frank

Stoltze of KPCC-FM (89.3) said Tanaka has not responded to repeated invitations.

If Tanaka has avoided the limelight as a sheriff's candidate, he remains in his element as mayor of Gardena. At the Sept. 9 City Council meeting, he beamed as he posed for photos with two girls in frilly pink dresses and a little boy in a suit.

He led the meeting with a practiced hand, listening intently as the police chief gave a report on illegal fireworks, then congratulating a developer who received approval to build a new discount store. Afterward, he dodged questions from a reporter about his campaign for sheriff.

"I have another meeting," he said after the meeting, which ended at about 9:15 p.m.

In the Sheriff's Department, Tanaka was known as a manager whose hands-on style was a counterbalance to Baca's sometimes vague leadership. In 2013, Baca pushed Tanaka to retire amid concerns about the jails as well as his disciplinary decisions.

Tanaka entered the race for sheriff early and led in total fundraising until recently. Since June 30, McDonnell has raised more than \$176,000 in large contributions, compared with Tanaka's \$8,500. An inde-

pendent expenditure committee supporting McDonnell has raised more than \$138,000 since the primary, including \$50,000 from the fitness company Burn 60 and \$45,000 from the Commerce Casino.

The ongoing federal corruption investigation has added to Tanaka's problems. Seven defendants accused of hiding an inmate informant from the FBI argued at their trials that they were following orders from Tanaka and Baca.

On the witness stand, Tanaka said he directed them to keep the inmate safe, but beyond that, he recalled few details about his role in the operation. All seven were convicted on obstruction of justice charges.

Facing Tanaka in court May 20, a prosecutor noted that charges against small fry are often precursors to netting larger fish.

Hoffenblum, the political analyst, expects the Nov. 4 turnout to be higher than the primary's 17%, but he doubts many people are paying attention to the sheriff's race.

"Since there's basically been a lack of a campaign, if you walked down the street and asked who the candidates for sheriff are, most people wouldn't have the foggiest idea," he said.

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Sheriff patrol levels found to be lacking

County supervisor's staff tally fewer cars in East L.A. and other areas than promised.

By Abby Sewell

Los Angeles County Supervisor Gloria Molina and her staff last year started monitoring the number of sheriff's patrol cars in East Los Angeles and other unincorporated areas in her district.

They found that often there were not as many on the streets as the sheriff had

agreed to provide, especially on the weekends, when calls for help usually increase.

In some cases, they found that the department would bring in extra staff during the week to balance out the lower staffing on the weekends.

"I just wanted to get what I was paying for," Molina said in an interview. "You see the high crime rates in these areas, and the patrol cars weren't there."

At the supervisors' meeting Tuesday, a contrite Assistant Sheriff Michael Rothans acknowledged that there was a problem with weekend staffing, which he said he had only learned about recently. But he said the department had taken measures to alter a scheduling practice that had put more deputies on patrol during quieter weekdays — a situation that he said stemmed in part from a freeze on overtime, which was lifted in July.

In an effort to improve response times, supervisors agreed to set aside \$12.4 million to increase the number of deputies patrolling unincorporated areas.

But they decided to hold the money until sheriff's officials verify that they have fixed scheduling practices that have led to more deputies being deployed during weekdays than on busy weekend nights.

The additional funding would add 67 deputies to the unincorporated areas, as a move toward restoring staffing to pre-recession levels. An additional 56 positions could be added next year.

A study of sheriff's response times around the county found that those for both routine and emergency calls had grown worse in some unincorporated areas from 2010 to 2013.

In East Los Angeles, the average time to respond to emergency calls remained 4.3 minutes — one of the best in the county's unincorporated areas — but response

[See Patrols, A A61]

Supervisor faults Sheriff's Dept. patrol levels

WED 10-1-14

[Patrols, from AA1]
time for routine calls had increased from 58.4 to 68.4 minutes.

In unincorporated areas around Malibu, emergency response times increased from 9.8 to 10.8 minutes and routine calls from 34.5 minutes to 42.2 minutes.

Jeffrey Steck, president of the deputies' union, called the anticipated funding increase "fantastic" and said deputies want to be able to respond quickly to calls.

"I would hope that the department would quickly get that report to her and get the funding to put those cars back out in the field."

The proposal to increase funding for sheriff's patrols came as part of a midyear budget review that revealed that \$368 million from the previous year was still available and the county projected an \$80-million increase in sales and property tax revenue.

The supervisors also agreed to set aside \$20 million for new diversion programs for mentally ill offenders and \$77 million for dozens of building projects and repairs to county facilities.

And the board gave final approval to a controversial set of fiscal policies that would require a super-majority vote — at least four of its five members — to approve future salary in-

creases for county workers. Labor unions and Sheila Kuehl, one of the candidates vying to replace termed-out Supervisor Zev Yaroslavsky, have criticized the new policy as undemocratic and an attempt to tie the hands of incoming board members who are seen as potentially more labor-friendly than their predecessors.

Affordable housing advocates and developers objected to a separate portion of the policies that deals with how the county will spend money that would have gone to redevelopment agencies before the state dissolved them in 2012.

The policy allocates much of the added revenue to capital projects, but does not specify how much should go to building affordable housing projects, which developers said have declined since the dissolution of redevelopment.

County Chief Executive William T. Fujioka said the new policy would not preclude the county from setting aside money for affordable housing, and pointed out that it had set aside \$80 million for the purpose over the last couple of years.

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Times staff reporter Cindy Chang contributed to this report

Hostage tells of being shot by deputy

At preliminary hearing, man says he was fleeing when he was wounded.

BY MARISA GERBER

A man allegedly held hostage at knifepoint by his roommate told a judge Tuesday that he was clutching a stab wound on his neck when he rushed out of his West Hollywood apartment and was shot by a Los Angeles County sheriff's deputy.

Liam Mulligan was wounded, but another hos-

tage, his friend John Winkler, was fatally shot during the April 7 incident. The Sheriff's Department later said deputies mistook Winkler, an aspiring television producer, for the assailant who had taken the men hostage.

Mulligan testified that his roommate, Alexander McDonald, had been acting strangely before he pulled a kitchen knife on Mulligan, Winkler and a third man watching the NBA finals on television in the apartment.

"You guys are going to die tonight," Mulligan recalled McDonald telling them. "Maybe one of you will live."

The testimony came during a preliminary hearing in Airport Courthouse for McDonald, who is accused of murder in connection with Winkler's death, two counts of attempted murder and one count of torture. Under California's felony-murder rule, a defendant can be convicted of murder if someone dies while the defendant was committing a felony.

Before holding the men hostage, McDonald, 28, took the knife from an apartment down the hallway.

Jill Shakoor testified that when she arrived home on the evening of the incident she saw McDonald, her

neighbor, standing near her refrigerator speaking with her roommate. She described him as shaky and paranoid and said he seemed obsessed with the idea that he was being followed.

"How did you get in?" she recalled him asking her. "Who saw you? Do they know you're here?"

He grabbed a six-inch butcher knife, she said, and pointed its blade at them. Shakoor ran out and down the stairs as she dialed 911. She said deputies arrived four minutes or so later.

A prosecutor asked Shakoor if she had given the

deputies a description of the defendant.

"A very good one," she responded, adding that she'd told them that he was white, skinny, about 5 feet, 9 inches tall, had black hair and was wearing a black shirt. Shakoor testified that she showed deputies three pictures of the defendant on her cellphone. It was unclear whether the deputies shown the photos were involved in the shooting.

After leaving Shakoor's apartment, McDonald returned to his unit, where Mulligan and the others were watching television.

Mulligan testified that

McDonald repeatedly asked the men if they were actors and at one point sat down on the couch next to Chris Morretti, Mulligan's friend who was visiting from Australia, and ran the blade of the knife up and down his leg.

"You're not real people," he said. McDonald told them.

Mulligan said McDonald stabbed one of the men in the leg. As Mulligan jumped in to try to subdue him, McDonald stabbed him in the neck, he said. With blood spurting, Mulligan rushed for the door. Winkler, who was wearing a black shirt, followed, also attempting to escape.

"Basically, I opened the door and immediately took a bullet to the leg," Mulligan told the court.

Winkler, who had recently moved to L.A. from Seattle, was shot in the chest and died.

Sgt. Robert Martindale of the Los Angeles County Sheriff's Homicide Bureau testified that one deputy who opened fire told him he assumed that Winkler was the assailant using Mulligan as a "human shield." The deputy told Martindale that he feared for his own life and for Mulligan's. Another deputy also fired rounds.

Winkler's father sighed loudly and let his reddening face fall into his palms as the sergeant recounted how deputies handcuffed Winkler after the shooting, still thinking he was the suspect.

Judge James Dabney ruled there was enough evidence for McDonald to stand trial on the attempted murder and torture counts but questioned the murder charge. The judge said he would rule Oct. 27 on whether McDonald should face the murder charge.

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What ails the Sheriff's Dept.?

It's tempting to think the problems began and ended with six bad actors. They didn't.

DESPITE THE ASSERTION to the contrary by Sheriff John Scott, the sentencing Tuesday and likely imprisonment of six sworn Los Angeles County sheriff's deputies, sergeants and lieutenants does not reflect merely the actions of a "few" bad actors. The punishments do not remove six corrosive elements in an otherwise solid Sheriff's Department, and they will not end the problems that some within the department and county government continue to insist occurred during a troubling but limited period of time.

The six were convicted of obstructing justice, an especially egregious offense by officers sworn to uphold the law, and their actions came in the form of a plot to shield the department from a federal investigation into the systematic and unwarranted abuse of jail inmates. The six may not have known at first, in the summer of 2011, that one of their corrupt colleagues had taken a bribe to smuggle a cellphone to an inmate; but they knew that the inmate had the phone and that he was using it to tell FBI agents about beatings and other deputy misconduct. They conspired to keep the inmate from communicating with federal authorities by moving him around the county's vast jail system using false names. Two of the defendants even confronted an FBI agent outside her home and tried to intimidate her by claiming — falsely — that they were obtaining a warrant for her arrest.

Those defendants pursued a course of

action that displayed a stunning arrogance. They earned their sentences; but as obstructors rather than defenders of justice, they were not self-taught. They operated within an ingrained culture of contempt, mismanagement, dishonesty and gratuitous violence. It is important to remember that they were trying to block a probe into the widespread use of excessive force, and that such force has been documented against visitors as well as inmates in Los Angeles County jails. It is important to keep in mind also that the department's Antelope Valley stations were found to have engaged in patterns and practices of racially based discrimination and unconstitutional stops, searches, seizures and detentions. Settlement talks are ongoing in a lawsuit alleging that top sheriff's officials condoned a pattern of violence against inmates.

A court-appointed monitor is operating under a similar lawsuit alleging mistreatment of mentally ill inmates going back decades, and the U.S. Department of Justice advised the county earlier this year that it too would go to court over treatment of the mentally ill in the jails. Meanwhile, a Times investigation found fluctuating hiring standards that sometimes drop so low as to suggest the department will hire, at times, almost anyone.

It is tempting to believe that problems in the Sheriff's Department began and ended with these six defendants — or with the deputy who took the bribe to smuggle the cellphone, or with those indicted on firearms or financial fraud charges, or with Paul Tanaka's appointment as undersheriff in 2011, or Lee Baca's election as sheriff in 1998 — but the facts belie such a belief. Problems in the department run deep, and the need for change will continue well after these six defendants are sent to prison.

Commentary *Thurs 9-30-14 Daily Breeze*
Diverting mentally ill from jail right course

By Suzanne L. Wenzel

A sprawling metropolis of nearly 10 million people, Los Angeles County has the unenviable distinction of being home to the largest jail system in the United States, housing an inmate population of approximately 19,000 on any given day.

As is the case across the U.S. — where the penal population now stands at 2.2 million — overcrowding in Los Angeles County jails continues to be a significant and chronic challenge, as is the delivery of social and rehabilitative services to inmates needing help. Exacerbating the problem is the fact that a significant number of Los Angeles County jail inmates suffer from mental illness.

On Tuesday, the Los Angeles County Board of Supervisors will consider setting aside \$20 million to develop strategies and programs to divert mentally ill criminal defendants from county jails. This amounts to less than 1 percent of the county's \$2 billion allocated for jail construction and modernization.

Putting more resources behind this idea makes both humanitarian and economic sense. Why? Because diversion programs for the mentally ill have been shown to work.

Diversion programs are specifically designed to identify

people with mental illness and get them into community-based treatment, rather than putting them behind bars where a diagnosis and getting the right kind of help is less likely. The aim of diversion programs is to reduce repeat offending and rearrests, help provide access to stable housing and social services, and stop the persistent cycle of incarceration that only adds to jail overcrowding.

Other municipalities have implemented diversion programs for the mentally ill with great success. A study of the Bexar County Jail Diversion Program in San Antonio, Texas, showed a taxpayer savings of \$2,800 per diverted mentally ill offender. We saw similar success with Proposition 36, the California ballot measure passed in 2000 mandating that nonviolent offenders with drug problems be "diverted" to treatment rather than serve a jail sentence. A UCLA evaluation found that diverting defendants helped save about two taxpayer dollars for every one dollar invested in treatment, because incarceration costs more than treatment for substance use.

Without treatment, the number of mentally ill inmates circulating through the county criminal justice system will only increase. Currently, an estimated one in five inmates in L.A. County jails — or about 17 percent of male and 24 percent of female inmates according to

District Attorney Jackie Lacey — are suffering from mental illness, an 89 percent increase since 2011. Most commonly, mentally ill persons who end up in jail are there for nonviolent offenses. And, consistent with federal guidelines for local diversion programs, most are targeted at mentally ill persons who are charged with low-level, nonviolent offenses.

Make no mistake. While some may argue that diversion constitutes a "get out of jail free" card for criminals, considerable evidence points to the effectiveness of such programs in maintaining and even enhancing public safety. Rather than cycling back into overcrowded jails, becoming homeless or ending up back on the streets, defendants get the treatment they need.

The numbers of those imprisoned in need of mental health services have reached the tipping point. This week the Los Angeles County Board of Supervisors would be well-served to make the necessary investment in diversion programs for the mentally ill. Such a move would not only help secure treatment for those in need, but help reduce the inmate population in county jails. The proposed \$20 million allocation would be a modest, but wise start.

Suzanne L. Wenzel, Ph.D., is a professor in the School of Social Work at the University of Southern California.